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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,847	07/16/2003	Gregory J. Ziebold	03226.508001;P6091	1779

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EXAMINER

HUSSAIN, TAUQIR

ART UNIT	PAPER NUMBER
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2152

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/621,847	<b>Applicant(s)</b> ZIEBOLD ET AL.	
	<b>Examiner</b> Tauqir Hussain	<b>Art Unit</b> 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>07/22/2004, 04/03/2006</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-27 are pending in this application.

#### ***Objections***

2. There are missing elements in specification on page1 incorporated by reference IDS. Proper application numbers are required to be filled into blank spaces.
3. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless—

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-27, are rejected under 35 U.S.C. 102(e) as being anticipated by Fishman et al. (Pub. No.: US 2002/0103935 A1), hereinafter "Fishman".

a plurality of content channels comprising wireless data defined as content containers (Fig.2, Element-210, 222-226, [0034, lines 1-3], where elements 222-226 are serving as channels for individual client device and element-210 is content container);

a client data storage module for hierarchically storing predefined client data of a plurality of wireless clients defined to access said wireless portal server (Fig.3, Element-322, 374-379, [0039, lines 5-12]; where element-322 stores the client specific data individually which could be hierarchically and elements-374-379 are plurality of wireless clients each having their own class);

a client profile property module for storing property attributes that specifically define ancestry history of each wireless client connecting to said wireless portal server system (Fig.3, Element-352, [0041, lines 4-6], where element-352 is a database which keep the list of mobile clients, further a simple log can record device specific connection information); and

an applications content aggregator for aggregating content to a particular wireless client in a client aware manner based on said ancestry history of said particular wireless client (Fig.3, Element-330, [0041, lines 3-5]) and also for formatting selected content to said particular wireless client for presentation thereto (Fig.3, Element-254-258, [0037, lines 8-11], where element-254-258 formats the interface according to the connected device).

6. As to claim 13, a client aware applications system in a wireless network, comprising:

a portal server (Fig.1, [0019, lines 1-2]);

a plurality of classes of wireless clients, each of said plurality of classes of wireless clients comprising unique identification parameters (Fig.2, Elements-254-258, [0035, lines 9-12], where elements-252-258 are wireless clients and identifying means they have unique parameter); and

a client aware content aggregation service for providing content in response to client type identifications of content access requests from wireless clients of said plurality of classes of wireless clients (Fig.2, Element-250, [0035, lines 9-12], where data is provided/formatted according to device identification).

7. As to claim 24, a method of aggregating content for a wireless client in a wireless portal server (Fig.4, Element-450), comprising:

scraping and aggregating content from a variety of sources (Fig.4, Element-432, [0049, lines 6-11], where data object includes, text, graphics, markup and multimedia objects);

providing a hierarchical indexing scheme to uniquely identify content in a client specific manner (Fig.4, Elements-450, 454-458, [0049, lines 1-11 and 19-21], where contents are transferred to hierarchically listed transform for appropriate device).; and

providing content to a plurality of wireless clients accessing the wireless portal server in an aggregated manner (Fig.4, Elements-474-478, [0048, lines 10-14], where same encrypted data is shared among the said devices).

8. As to claim 2, Fishman discloses, wherein said applications content aggregator further displays a selected list of said plurality of content channels to said particular wireless client ([0033, lines 1-8], where email program is application content aggregator).

9. As to claim 3, Fishman discloses, wherein said applications content aggregator specifies said property attributes to uniquely identify content for each one of said plurality of wireless clients ([0035, lines 9-12], where type of mobile client means there has to be some attributes associated with mobile).

10. As to claim 4, Fishman discloses, wherein said applications content aggregator comprises a client request dispatcher for performing client lookups to determine the client type of a wireless client requesting access to said wireless portal server system ([0035, lines 9-12], where identifying means there must be a client look up table in the mobile gateway, receiving content means there is a receiving and dispatching mechanism present in the mobile gateway).

11. As to claim 5, the wireless portal server system of claim 4, wherein said client request dispatcher further performs a hierarchical search of said predefined client data to retrieve the appropriate aggregated content for said particular wireless client, said content comprising stored information pre-defining client type information of clients supported by said wireless server system (Fig.3, Elements-374-378, [0035, lines 13-20],

where data is stored with respect to the mobile device in hierarchical manner e.g. phone, pager and PDA respectively and therefore look up table is searched in the same hierarchical manner for associated data content for these individual devices and client types are already predefined in the mobile client data 362, to look up the list of devices for matching the data content).

12. As to claim 6, is rejected for the same reasons set forth in claim 5 above.

13. As to claim 7, Fishman discloses, wherein said mapping logic further maps a plurality of said wireless clients to a corresponding one of said plurality of content containers (Fig.3, Elements-354-358 and 374-378, [0035, lines 17-20], where each device 374, 376 and 378 are associated with containers 354, 356 and 378).

14. As to claim 8, Fishman discloses, wherein said particular wireless client is a hand-held device (Fig.3, Element-376).

15. As to claim 9, the wireless portal server system of claim 2, wherein said particular wireless client is a wireless phone (Fig.3, Element-374).

16. As to claim 10, the wireless portal server system of claim 2, wherein said particular wireless client is a wireless personal computer system (Fig.3, Element-378).

17. As to claim 11, Fishman discloses, wherein said each of said content containers define channels that primarily use content from other channels (Fig.2, Element-230, [0034, lines 6-9], where content store has defined data for each individual device, further same email can be tailored according to the device).

18. As to claim 12, Fishman discloses, wherein said content containers comprise a default container having a default list of channels specified for each of said plurality of wireless clients (Fig.2, Elements-222-226, [0034, lines 1-3], where each inbox is a default container for devices 254-258 and must have default settings with respect to devices 254-258).

19. As to claim 14, Fishman discloses, wherein each wireless client within a class of said plurality of classes of wireless clients has a unique identification parameter to distinguish it from other members of said plurality of classes (Fig.2, Elements-252-258, [0035, lines 7-12], where each device has its own class and upon receiving a request for content, contents is formatted based on the device identification).

20. As to claim 15, the client aware system of claim 14, further comprising a client aware content aggregation module coupled to said portal server for aggregating client aware content gathered from a plurality of web pages over the Internet for presentation in a format suitable for each wireless client (Fig.2, Element-250, 252-258, [0033, lines 1-8], where, devices 252-258 have different classes e.g. mobile phone, handheld, PDA



and contents are formatted to present according to device identification further element-210 has stored the web contents within, which are transmitted to device as per device's request).

21. As to claim 16, Fishman discloses, further comprising hierarchically stored client data defining said plurality of classes of wireless clients (Fig.2, Elements-210, 222-226, [0034, lines 1-3], where elements-222-226 corresponds to each mobile devices 254-258 and has been places in content server hierarchically).

22. As to claim 17, Fishman discloses, wherein said content aggregation service further comprises a client aware content source module for identifying content location over said plurality of web pages in response to the client type information provided by said plurality of classes of wireless clients (Fig.4, Elements-410 is content aggregation service and 452 is a client aware content source module, [0048, lines 1-10], where element-410 must keep a log of objects which are accessed by mobile devices along with their identity).

23. As to claim 18, Fishman discloses, wherein each of plurality of wireless client has a property attribute that defines its ancestry in said hierarchical stored client data ([Fig.4, Elements-474-478, [0047, lines 1-4], where all the devices and their respective data is stored hierarchically in element-452).

24. As to claim 19, Fishman discloses, wherein said content aggregation service further comprises a client request dispatcher for performing client lookups to determine the client type of a client requesting access to said portal server (Fig.4, Elements-450, 452, [0047, lines 6-11], where element-425 is client request dispatcher which identifies the device from the list of the devices stored in database).

25. As to claim 20, Fishman discloses, wherein said client request dispatcher further performs a hierarchical search of said hierarchically stored client data to retrieve the appropriate aggregated content for a particular wireless client (Fig.4, Elements-410, 425 and 454-458, [0047, lines 1-6], where database is searched to locate the appropriate content with respect to the device and content and devices are listed in a sequential manner in a database).

26. As to claim 21, Fishman discloses, wherein said content aggregation service further comprises client content mapping logic for mapping each one of said plurality of wireless clients in said hierarchical client data to a corresponding one of a plurality of content containers (Fig.3, Elements-374-378, [0035, lines 13-20], where data is stored with respect to the mobile device in hierarchical manner e.g. phone, pager and PDA respectively and therefore look up table is searched in the same hierarchical manner for associated data content for these individual devices and client types are already predefined in the mobile client data 362, to look up the list of devices for matching the data content).

27. As to claim 22, Fishman discloses, wherein said mapping logic further maps a plurality of said wireless clients to a corresponding one of said plurality of content containers (Fig.3, Elements-354-358 and 374-378, [0035, lines 17-20], where each device 374, 376 and 378 are associated with containers 354, 356 and 378).

28. As to claim 23, Fishman discloses, wherein said content aggregation service further comprises a channel list module for storing a list of predefined content channels available in said wireless portal server (Fig.4, Element-432, [0049, lines 1-11], where element-432 keeps a record of contents specific to the device, which can appropriately be displayed or transmit to particular device).

29. As to claim 25, the method of claim 24, wherein said scraping and aggregating content from a variety of sources comprise aggregating predefined content into a plurality channels in said wireless portal server (Fig.4, Element-432, [0049, lines 6-11], where data object includes, text, graphics, markup and multimedia objects in the database according to device specific).

30. As to claim 26, Fishman discloses, wherein, each of said plurality of wireless clients comprises a unique property attribute that defines its ancestry in said plurality of wireless clients ([Fig.4, Elements-474-478, [0047, lines 1-4], where all the devices and their respective data is stored hierarchically in element-452).

31. As to claim 27, the method of claim 26, wherein aggregated content of said scraping and aggregating content is hierarchically provided to each of said plurality of wireless clients (Fig.4, Elements-450, 454-458, [0049, lines 1-11 and 19-21], where contents are transferred to hierarchically listed transform for appropriate device).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tauqir Hussain whose telephone number is 571-272-1247. The examiner can normally be reached on 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571 272 3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TH

A handwritten signature in black ink, consisting of stylized, cursive letters that appear to be 'B. J. A.' followed by a vertical line.

BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER